

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

Case No. 23-cv-6379

BALANCE PAYMENTS, INC. d/b/a BALANCE,

Plaintiff,

vs.

THREAD STUDIO LLC,

Defendant.

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**MOTION FOR LEAVE TO APPEAR VIA TELEPHONE OR VIA ZOOM**

Plaintiff, Balance Payments, Inc. d/b/a Balance (“Plaintiff”), by and through undersigned counsel, hereby moves this Court for an Order permitting undersigned counsel to appear via telephone or via zoom at the upcoming hearing on Plaintiff’s Motion for Entry of Final Default Judgment set for November 3, 2023, and in support thereof states as follows:

1. On October 10, 2023, Plaintiff filed its Motion for Entry of Final Default Judgment (ECF No. 15).
2. On October 12, 2023, this Court entered its Order setting a default judgment hearing on November 3, 2023 at 2:00 p.m. in Courtroom 18B, United States Courthouse, 500 Pearl Street, New York, New York 10007 (ECF No. 16).
3. In anticipation of the upcoming hearing, undersigned counsel, Benjamin H. Brodsky, Esq., requests to appear telephonically or via zoom for the hearing. Plaintiff does not anticipate that it will make an evidentiary presentation at the hearing in support of the default judgment motion, as the damages Plaintiff seeks are liquidated.
4. Plaintiff’s counsel, Benjamin H. Brodsky, Esq., lives and practices in Miami-Dade



BRODSKY FOTIU-WOJTOWICZ

County, Florida. To preserve client resources, Plaintiff's counsel respectfully requests leave to appear telephonically or via zoom.

WHEREFORE, Petitioner's counsel, Benjamin H. Brodsky, respectfully requests that the Court enter an Order granting the Motion for Leave to Appear Via Telephone or Via Zoom for the upcoming hearing on Plaintiff's Motion for Entry of Final Default Judgment, and for any other relief this Court deems just and proper.

Respectfully submitted,

By: /s/ Benjamin Brodsky  
Benjamin Brodsky, Esq., FBN 73748  
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Denied.  
October 24, 2023



**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing was served by Notice of Electronic Filing generated by CM/ECF, on October 23, 2023, on all counsel or parties of record.

By: /s/ Benjamin Brodsky  
Benjamin Brodsky, Esq.